

Fact Sheet on the Pedestrian Winter Safety Act of 2001

Snow shoveling requirements

Sponsored by Councilmember Phil Andrews (Chair of Public Safety Committee), Councilmember Isiah Leggett (Chair, Transportation & Environment Committee), and Council Vice President Steve Silverman

- Beginning this winter, the County snow shoveling law for commercial and multifamily properties will also apply to other residential properties. The law requires all property owners or tenants to clear snow and ice from public sidewalks on or adjacent to their property within 24 hours after a snowfall.
- The cleared pathway must be wide enough for safe pedestrian and wheelchair use.
- Violators receive a written warning and get 24 hours to correct the violation or face a \$50 fine. For commercial and multifamily properties, but not single-family properties, each day that a violation continues is a separate violation.
- In addition to fines, the County can clear snow and ice and charge a violator for the cost.
- The new law also makes obstruction of handicapped parking spaces by snow or ice punishable by fines up to \$100 for the first offense and \$150 for subsequent offenses.
- Residents can use sand, salt, or other abrasives if ice or hardpacked snow is unreasonably difficult to remove.
- Property owners have an additional 24 hours to clear walkways if a snowplow redeposits snow or ice on a sidewalk.
- There is no obligation to clear private driveways or walkways, or unpaved walkways.

- The County Executive can order a different deadline or requirements in severe conditions.
- The law relieves homeowners associations from responsibility for shoveling commonly owned properties adjacent to an individual lot owner's property. *A proposed amendment would clarify that the lot owner or tenant, but not the HOA, is responsible for shoveling even if the sidewalk is separated by a commonly owned buffer strip that functions as part of the individual lot.**
- The law does not apply to walkways that are used solely for recreation, except those leading to a winter recreation facility. *A proposed amendment would exempt certain secondary walkways if there is an alternate, shoveled route and the walkway is not near vehicular traffic.**
- The law is similar to residential snow-shoveling requirements already in effect in County municipalities such as Rockville, Gaithersburg, Takoma Park, Kensington, Poolesville, and Chevy Chase Village, and in other jurisdictions, including Prince George's County, Howard County, the City of Frederick, the District of Columbia, and Alexandria, Virginia. Shoveling deadlines range from four hours to 48 hours after a snowfall.

** These amendments are included in Emergency Bill 34-01, which the Council is scheduled to consider on October 30, 2001.*